



U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

DA 1642
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NOTICE OF APPEAL

Docket Number:
12013/58002

Application Number
09/915,853

Filing Date
July 26, 2001

Examiner
Christopher H.
Yaen

Art Unit
1642

Invention Title
THERAPEUTIC ANGIOGENESIS BY BONE
MARROW-DERIVED CELL TRANSPLANTATION IN
MYOCARDIAL ISCHEMIC TISSUE AND
SKELETAL MUSCLE ISCHEMIC TISSUE

Inventor(s)
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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

Date: June 4, 2004

Signature: Elizabeth M. Wickstrom

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner made in the Final Office Action dated April 6, 2004, finally rejecting claims 2, 5, 7, 9-11, 13-15, 18, 20, 22, 24, 28-29, 31, 33, 38, 40-41, and 43.

The Commissioner is hereby authorized to charge payment of the 37 C.F.R. § 1.191 Notice of Appeal fee of **\$330.00** to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**.

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**:

- A. Any additional filing fees required under 37 C.F.R. § 1.16;
- B. Any additional patent application processing fees under 37 C.F.R. § 1.17;
- C. Any additional patent issue fees under 37 C.F.R. § 1.18;
- D. Any additional document supply fees under 37 C.F.R. § 1.19;
- E. Any additional post-patent processing fees under 37 C.F.R. § 1.20; or
- F. Any additional miscellaneous fees under 37 C.F.R. § 1.21.

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A copy of this letter is enclosed.

Dated: June 4, 2004

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